

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

GOOGLE INC.

PLAINTIFF

V.

CIVIL ACTION NO. 3:14-CV-981-HTW-LRA

JIM HOOD, in his official capacity
as Attorney General of the State of
Mississippi

DEFENDANT

**DECLARATION OF F. JEROME TAPLEY IN SUPPORT OF
ATTORNEY GENERAL JIM HOOD'S RESPONSE IN OPPOSITION TO GOOGLE
INC.'S MOTION FOR A PROTECTIVE ORDER WITH RESPECT TO RULE 30(B)(6)
DEPOSITIONS OF GOOGLE INC.**

I, F. Jerome Tapley, hereby declare as follows:

1. I am a principal of Cory Watson, P.C., 2131 Magnolia Avenue South, Suite 200, Birmingham, Alabama, 35205, and counsel for Attorney General Jim Hood in this litigation, and I make this declaration based upon my own personal knowledge except where expressly noted to be on information and belief. I submit this declaration support of Attorney General Jim Hood's Response in Opposition to Google Inc.'s Motion for a Protective Order with respect to Rule 30(b)(6) Depositions of Google Inc.

2. Attached as **Exhibit A** are true and accurate copies of the three (3) Notices of Depositions pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, each containing Requests for Production of Documents pursuant to Rule 34, and served upon counsel for Google on June 4, 2015. All other notices were withdrawn by Attorney General Hood on June 4, 2015, with the filing of ECF No. 125—Notice of Withdrawal of Deposition Notices.

3. Attached as **Exhibit B** is a true and accurate copy of Google's Terms of Service, dated April 14, 2014, available at <http://www.google.com/intl/en/policies/terms/> (last visited June 16, 2015).

4. Attached as **Exhibit C** is a true and accurate copy of YouTube's Terms of Service, dated June 9, 2010, available at <https://www.youtube.com/static?gl=US&template=terms> (last visited June 16, 2015).

5. Attached as **Exhibit D** is a true and accurate copy of Google's Terms of Service, dated April 16, 2007, available at <http://www.google.com/intl/en/policies/terms/archive/20070416/> (last visited June 16, 2015).

6. Attached as **Exhibit E** is a true and accurate copy of Google's Search Help page entitled, "See instant results as you type," available at <https://support.google.com/websearch/answer/186645?hl=en> (last visited June 16, 2015).

7. Attached as **Exhibit F** is a true and accurate copy of email exchanges between counsel during the meet and confer process.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge.

Executed on June 16, 2015, in Birmingham, Alabama.

/s/ F. Jerome Tapley
F. Jerome Tapley